

REMARKS

Claims 1-6, 8, 10-12, 14, 17-29, and 31-42 are pending and stand rejected. Claims 1, 14, and 29 have been amended to correct minor typographical errors.

Applicants respectfully request that the USPTO change the correspondence address for this pending patent application. Any future correspondence should be directed to the following address:

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Rejections Under 35 U.S.C. § 103(a)

Claims 1-6, 8-12, 14, 17, 22-27, 29, and 31-42 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Stewart (U.S. Patent No. 6, 452, 498) in view of Calvert (U.S. Patent No. 6,526,275) and further in view of Luttrell (US 2003/0004758). The rejection is respectfully traversed with respect to these claims.

The references fail to establish a *prima facie* case of obviousness. MPEP § 2142 states “To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of

success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).”

Turning now to independent claim 1, it recites, *inter alia*, a system for delivering location-based service to mobile clients in a building structure using short-range wireless technology, comprising:

- a plurality of short range wireless access points adapted to communicate with mobile clients;

- ...

- one or more location aware service proxies adapted to receive client requests for location-based services from the mobile clients and to deliver responses thereto, the responses comprising location-based information generated in view of the tracked location of the respective mobile client indicated by the location registry;

- wherein at least one of the location-aware service proxies includes:

- means for receiving a DNS request specifying a host name from a mobile client,

- means for determining that the requested host name corresponds to a location-based service, and

- means for returning an IP address of the host name **located within the same building structure as the mobile client** based on the client's location responsive to the determination that the requested host name corresponds to a location-based service.

(Emphasis added). The claimed invention, as recited in claim 1, discloses a system that includes, among other features, at least one location aware service proxies having means for receiving a DNS request from a mobile client, means for determining that the requested host name corresponds to a location-based service, and means for returning an IP address of the host name located within the same building structure as the mobile client. For example, when a user of a mobile client requests the IP address of a host named “printer”, a DNS proxy determines the client's current location and returns the IP address of the nearest printer within the same building. Claim 14 recites a method for delivering location-based services to mobile clients performed by the system of claim 1.

The claimed invention, as recited in claims 1 and 14, is not disclosed or suggested by Stewart. Although Stewart discloses a system for locating a mobile user and providing location aware services (col. 3, lines 35-45), as acknowledged by the Examiner, Stewart does not disclose or suggest determining an IP address of the requested host name based on the client's location responsive to the determination that the requested host name corresponds to a location-based service. Nor does Stewart disclose a system that performs these steps.

The addition of Calvert does not cure the deficiency of Stewart. While Calvert discloses a method for providing to a user of a communication device the IP address of the servers that contain the websites of product providers (col. 8, lines 40-47), as acknowledged by the Examiner, Calvert does not disclose or suggest "means for returning an IP address of the host name **located within the same building structure** as the mobile client based on the client's location..." (emphasis added). Indeed, unlike the claimed invention, which uses short-range technology to deliver location-based services to mobile clients in a building structure, Calvert does not disclose or suggest that communication devices and servers are located within the same building structure.

The addition of Luttrell does not cure the deficiency of Stewart and Calvert. Luttrell discloses a system and method for tracking patient treatment rendered at a treatment location by a service provider. As a result, one or more treatment records are generated, and a patient report that includes the treatment records is generated for submission to any selected entity (see, e.g., ¶ 19 and ¶ 26). While in Luttrell a web server can be located in the same building as a client computer running a web client (see, e.g., ¶ 14), contrary to the Examiner's analysis of this portion of the reference, Luttrell does not disclose or suggest that "the requested host name corresponds to a location-based service," as claimed. Unlike the claimed invention that uses short-range technology to deliver location-based services to mobile clients in a building

structure, there is no disclosure in Luttrell that the host (web server) that is located within the same building as a client computer provides location aware services to users of the client computer. In fact, Luttrell describes a web server as “a program running a computer whose purpose is to serve documents or digital information to other computers upon request” (see, e.g., ¶14). Luttrell is silent as to the web server’s ability to provide location-based services to client computers. Luttrell does not even need to provide location-based services to users of a client computer, because it solves a completely different problem (e.g., tracking patient treatment rendered at a treatment location by a medical service provider and generating treatment records).

Thus, none of the references, taken alone, teaches, discloses, or suggests the claimed invention. However, the Examiner asserts that it would have been obvious to one skilled in the art to combine the teachings of Stewart, Calvert, and Luttrell to deliver location-based services to mobile clients in a building structure using short-range wireless technology.

Applicants respectfully assert that the combination suggested by the Examiner’s rejection under 35 U.S.C. § 103 is improper for the following reasons. Stewart does not disclose returning an IP address of the requested host name based on the client’s location responsive to the determination that the requested host name corresponds to a location-based service. Similarly, Calvert does not disclose or suggest means for returning an IP address of the host name located within the same building structure as the mobile client based on the client’s location. Further, given that Luttrell merely describes a web server located within the same building as a client computer and in particular has nothing to do with providing location-based services to users of a client computer, one of skill in the art would not be motivated to combine Luttrell with any of the other references.

Accordingly, a person of ordinary skill in the art considering the teachings of Stewart, Calvert, and Luttrell, either alone or in combination, would not find the features recited in claims

1 and 14 obvious. It is therefore respectfully submitted that claims 1 and 14 are now patenably distinguishable over the combination of Stewart, Calvert, and Luttrell.

Claims 2-6, 8, 10-12, 17-29, and 31-42 depend either directly or indirectly from independent claims 1 and 14 and derive their patentability from the independent claim from which they depend. Therefore, these claims are patentable over Stewart, Calvert, and Luttrell, either alone or in combination.


Claims 18-21 and 28 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Stewart in view of Calvert, Luttrell and further in view of Lee et al. (U.S. Patent No. 6,535,493). This rejection is respectfully traversed. In rejections of claims 18-21 and 28, Stewart was expressly applied to the claims in the same way it was applied to claims 1 and 14. For the reasons stated above, therefore, these dependent claims are likewise patentable over the cited references.

Conclusion

Applicants respectively submit that claims 1-6, 8, 10-12, 14, 17-29, and 31-42, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them. In addition, Applicants respectfully request Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully submitted,
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